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2 UNITED STATES DISTRICT COURT  
3 DISTRICT OF NEVADA

4 VINCENT NORWOOD,

5 Plaintiff

Case No. 2:21-cv-01174-APG-NJK

**ORDER**

6 v.

7 MICHAEL MINEV, *et al.*,

8 Defendants  
9

10 **I. DISCUSSION**

11 On June 21, 2021, Plaintiff, an inmate in the custody of the Nevada Department of  
12 Corrections (“NDOC”), submitted a civil rights complaint under 42 U.S.C. § 1983 and filed an  
13 application to proceed *in forma pauperis*. Docket Nos. 1-1, 1. Plaintiff’s application to proceed  
14 *in forma pauperis* is incomplete. Plaintiff has not submitted a Financial Certificate and an inmate  
15 account statement for a full six-month period with his application.

16 Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, an inmate seeking to begin a civil  
17 action in this Court may apply to proceed *in forma pauperis* in order to file the civil action without  
18 prepaying the full \$402 filing fee. To apply for *in forma pauperis* status, the inmate must submit  
19 all three of the following documents to the Court:

20 (1) a completed Application to Proceed in Forma Pauperis for Inmate, this Court’s  
21 approved form (i.e. pages 1 through 3 with the inmate’s two signatures on page 3),

22 (2) a Financial Certificate properly signed by both the inmate and a prison or jail official  
23 (i.e. page 4 of this Court’s approved form), and

24 (3) a copy of the inmate’s prison or jail trust fund account statement for the previous  
25 six-month period.

26 Accordingly, the Court denies Plaintiff’s application to proceed *in forma pauperis*, Docket  
27 No. 1, without prejudice because the application is incomplete. The Court will grant Plaintiff a  
28 one-time extension to file a fully complete application to proceed *in forma pauperis* containing

1 all three of the required documents. Plaintiff must file a fully complete application to proceed *in*  
2 *forma pauperis* on or before **August 23, 2021**. Absent unusual circumstances, the Court will not  
3 grant any further extensions of time. If Plaintiff does not file a fully complete application to  
4 proceed *in forma pauperis* with all three required documents on or before **August 23, 2021**, this  
5 case will be subject to dismissal without prejudice for Plaintiff to file a new case with the Court  
6 when Plaintiff is able to acquire all three of the documents needed to file a fully complete  
7 application to proceed *in forma pauperis* or pays the full \$402 filing fee.

8 A dismissal without prejudice means Plaintiff does not give up the right to refile the case  
9 with the Court, under a new case number, when Plaintiff has all three documents needed to submit  
10 with the application to proceed *in forma pauperis*. Alternatively, Plaintiff may choose not to file  
11 an application to proceed *in forma pauperis* and instead pay the full filing fee of \$402 on or before  
12 **August 23, 2021** to proceed with this case.

13 The Court will retain Plaintiff's civil rights complaint, Docket No. 1-1, but the Court will  
14 not file the complaint unless and until Plaintiff timely files a fully complete application to proceed  
15 *in forma pauperis* with all three documents or pays the full \$402 filing fee.

## 16 **II. CONCLUSION**

17 For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed *in forma*  
18 *pauperis*, Docket No. 1, is **DENIED** without prejudice to file a new fully complete application to  
19 proceed *in forma pauperis* with all three documents.

20 IT IS FURTHER ORDERED that the Clerk of the Court will send Plaintiff the approved  
21 form application to proceed *in forma pauperis* by an inmate, as well as the document entitled  
22 information and instructions for filing an *in forma pauperis* application.

23 IT IS FURTHER ORDERED that, on or before **August 23, 2021**, Plaintiff must either pay  
24 the full \$402 filing fee for a civil action (which includes the \$350 filing fee and the \$52  
25 administrative fee) or file with the Court:

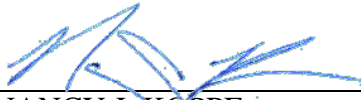
- 26 (1) a completed **Application to Proceed in Forma Pauperis for Inmate** on this Court's  
27 approved form (i.e. pages 1 through 3 of the form with the inmate's two signatures on page  
28 3);

- 1 (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official  
2 (i.e. page 4 of this Court's approved form); and  
3 (3) a copy of the **inmate's prison or jail trust fund account statement for the previous**  
4 **six-month period.**

5 IT IS FURTHER ORDERED that, if Plaintiff does not file a fully complete application to  
6 proceed *in forma pauperis* with all three documents or pay the full \$402 filing fee for a civil action  
7 on or before **August 23, 2021**, this case will be subject to dismissal without prejudice for Plaintiff  
8 to refile the case with the Court, under a new case number, when Plaintiff has all three documents  
9 needed to file a complete application to proceed *in forma pauperis* or pays the the full \$402 filing  
10 fee.

11 IT IS FURTHER ORDERED that the Clerk of the Court will retain the complaint, Docket  
12 No. 1-1, but the Court will not file it at this time.

13 DATED: June 22, 2021.

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16 NANCY J. KOPPE  
17 UNITED STATES MAGISTRATE JUDGE  
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